

Application No.: 09/732,066
Preliminary Amendment dated: August 24, 2005
Reply to final Office Action of: April 7, 2005

REMARKS

By the foregoing preliminary amendment, which is submitted with a request for continued examination (RCE), claims 1, 11 and 15 have been amended. In view of the foregoing amendments and the remarks urged here, Applicants respectfully request that the Examiner reconsider all outstanding rejections and that they be withdrawn.

Rejection Under 35 U.S.C. §102

At paragraph 5 of the office action, the Examiner rejected claims 11-24 as being anticipated by U.S. Patent No. 6,732,176 to Stewart et al. ("Stewart"). Applicants respectfully traverse this rejection and submit that Stewart fails to teach all the elements of the claims.

With regard to claim 1, the Examiner alleged that Applicants' recite the steps of 1) receiving at a plug-in device a command from a driver to initiate network activation procedures; 2) determining at the plug-in device a network activation status of the computer; 3) sending a request to a device having network carrier activation information; and 4) receiving the network carrier information from the device," all of which are taught at col. 2, lines 21-59 of Stewart. This excerpt of Stewart includes the following description:

Each PCD may store identification information which may uniquely indicate at least one network provider of a plurality of possible network providers. The identification information thus may designate the network provider (or providers) to which the user of the PCD is a subscriber. The identification information may take various forms, such as a System ID (SID), MAC ID, or other identification which may be used to identify the network provider to which the user has subscribed. When the PCD becomes close to an access point, the PCD may provide the identification information to the access point. ¶In one embodiment, each of the access points are operable to "listen for" or detect identification information, e.g., System IDs, associated with numerous different providers. Alternatively, each of the access points may be operable to broadcast requests for identification information, e.g., broadcast recognized System IDs to the PCDs, wherein the PCDs may respond to this broadcast by providing the identification information. When the access point receives the identification information from a PCD of a user, the access point may determine

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the network provider for the portable computing device using the identification information. Thus, the network system is able to recognize and process identification information which identifies any of the plurality of possible network providers. In one embodiment, the APs answer all queries from all PCDs, even if the identification information from the PCD does not match the information available to that particular AP, e.g., even if an unknown SID is received.

In this description, no mention of the framework for network activation is described. The only reference to the components of network activation is the PCD (portable computer device) and AP (access point) units. In setting forth a rejection of claim 1, the Examiner has not made reference to or addressed in any way Applicants' "driver" and "plug-in device" components. These two components are key to generating Applicants' generic activation and registration framework (GARF). As further recited in amended claim 1, the driver is generic to various carriers and the plug-in device includes components that are tailored to the selected carrier. In this framework, the driver can call on one of a possible plurality of plug-in devices that are individually tailored to particular carriers. As the Examiner has not pointed to any evidence within Stewart that relates to and describes components such as Applicants' "driver" and "plug-in device," Applicants submit that Stewart cannot anticipate claim 1.

Independent claims 11 and 15 also recite a similar activation framework as claim 1. The rejection of claims 11 and 15 is therefore traversed for at least the same reasons noted above with respect to claim 1.

Finally, because claims 2-10, 12-14, and 16-24 are dependent from one of independent claims 1, 11, and 14 and incorporate the features of one of those claims, the rejection of claims 2-10, 12-14, and 16-24 is also traversed for at least those reasons noted above with respect to claim 1.

Conclusion

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider all

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presently outstanding rejections, and that they be withdrawn. The Examiner is invited to telephone the undersigned representative if an interview might expedite allowance of this application.

Respectfully submitted,

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